

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA : Hon. Susan D. Wigenton  
: U.S. District Judge  
v. :  
: Criminal No. 13-748  
JOSEPH WOLFSON; :  
JAMES JEFFERS JR.; :  
ROBERT JEFFREY; :  
BETTY SIMON, TRUSTEE LLC; and : ORDER  
RICHARD SIMON, TRUSTEE, :  
: Defendants. :  
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The Court, having conducted a pretrial conference on September 3, 2015, during which the Court held oral arguments of the parties' pretrial motions and resolved outstanding discovery issues, it is on this 15<sup>th</sup> day of September 2015,

**ORDERED AS FOLLOWS:**

**1. Pretrial Motions:**

- a.** The Government's Motion to Dismiss the Indictment without Prejudice against Defendant Gregg Gehring is granted;
- b.** The Government's Motion *in Limine* to Exclude Evidence of Tax Collector Awareness or Acquiescence (ECF No. 116) is granted without prejudice;
- c.** The Defendants' Motion to Dismiss for Failure to Allege an Offense Under the Sherman Act and Motion to Produce Interview Notes (ECF No. 117) is denied;
- d.** The Defendants' Motion for Pretrial Relief (ECF. No. 118): The parties must meet and confer to resolve the production of *Brady* material and other documents. The Defendants

must provide the Government with reverse *Jencks* material consistent with their obligations under the April 13, 2015 Order.

**e.** The Government's Motion *in Limine* as to the Defendants' Exhibits (ECF. No. 127) is reserved in part, conceded in part, and granted in part: The Court will reserve ruling with regard to Wolfson Defense exhibits D-5 and D-6. All parties agree that they have no further challenges of authenticity to the Government's marked pretrial exhibits. Both parties shall provide reasonable notice of any modifications, supplementation, and editing of the parties' pretrial exhibits to avoid delay in the trial.

**2. Witnesses:** Both parties will provide each other notice of at least one day for each witness that the notifying party intends to call at trial.

s/ Susan D. Wigenton, U.S.D.J.  
**SUSAN D. WIGENTON**  
**UNITED STATES DISTRICT JUDGE**